

**GOVERNMENT OF ANDHRA PRADESH
ABSTRACT**

Public Services – Revenue Department – ACB case registered on the allegation of acquisition of assets disproportionate to his known sources of income, non-submission of APRs and failure to obtain prior permission for acquiring immovable properties against Sri L.Gandhi Babu, formerly Deputy Mandal Revenue Officer, O/o the Mandal Revenue Office, Nallajarla (M), West Godavari District and now retired from service – Disciplinary action – Further action dropped – Orders – Issued.

REVENUE (VIGILANCE-VI) DEPARTMENT

G.O.Rt.No.596.

Dated: 19.04.2012.

Read the following:-

1. From the DG, ACB, Hyd., Lr.Rc.No.14/RCA-CIU/07, dated: 14.08.2008.
2. G.O.Rt.No.361, Rev (Vig.VI) Dept., dt. 6-3-10.
3. Representation of Sri L.Gandhi Babu, Dy.MRO (Retd.), dated: 26.04.2010.
4. Govt. Memo.No.6014/Vig.VI (2)/2007-3, dated: 06.08.2010.
5. Govt. Memo.No.6014/Vig.VI (2)/2007-4, dated: 06.08.2010.
6. From the Addl. Joint Collector, West Godavari, Lr.Roc.No.721/VC/07, dated: 20.12.2010.

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ORDER:

A case in Cr.No.4/ACB-CIU-Hyd/2007 under Section 13(2) read with 13(1)(e) of P.C. Act, 1988 was registered against Sri L.Gandhi Babu, formerly Deputy Mandal Revenue Officer, O/o the Mandal Revenue Officer, Nallajarla (M), West Godavari District and now retired from service by the Anti Corruption Bureau Authorities on the allegation of acquisition of assets disproportionate to his known sources of income, non-submission of Annual Property Returns and failure to obtain prior permission for acquiring immovable properties, he was arrested on 02.02.2007 and sent to judicial custody on 03.02.2007. Consequently, he was placed under suspension with effective from 02.02.2007 and further the individual retired from service on 31.01.2008 while he was continuing under suspension.

2. In the letter 1st read above, the Director General, Anti Corruption Bureau, Hyderabad has sent final report wherein the Bureau took the period from 27.10.1974 (i.e. from the date of entry into service by the Accused Officer) to 02.02.2007 (i.e. the date of conducting of searches) as check period for the purpose of computation of assets acquired by the Accused Officer. Accordingly, the Bureau found the Accused Officer in possession of disproportionate assets to a tune of Rs.11,67,797=00 after deducting the savings of Rs.25,47,287=00 from his total assets of Rs.37,15,084=00. While finding that the Accused Officer failed to submit Annual Property Returns during his entire service and failed to take prior permission from the authorities violating Andhra Pradesh Civil Services (Conduct) Rules, 1964, the Bureau has recommended the Government to place the Accused Officer on his defence before the Commissioner of Inquiries on the above allegations.

3. After examination the issue in detail, Government have observed that, in Anti Corruption Bureau Cases, the cases of Non-Gazetted Officers cannot be referred to the Commissioner of Inquiries for conducting departmental inquiry and hence decided to conduct departmental action against the Accused Officer. Accordingly, the following article of charge was framed against the Accused Officer in the G.O. 2nd read above:

"That Sri Lankapally Gandhi Babu S/o Suryarao joined Government service in Revenue Department on 26.10.1974 as Lower Division Clerk and allotted to West Godavari District. He worked as Lower Division Clerk at Revenue Divisional Office, Kovvuru Taluka, RDO's Office, Kovvuru, Taluka Office, Polavaram from 26.10.1974 to 31.03.1982. Later as Junior Assistant he worked at Taluka Office Polavaram, Kovvuru, Jeelugumilli Polavaram, Jeelugumilli, Kovvalagudem from 01.04.1982 to 21.11.1986. Later he was promoted as Senior Assistant and worked at Mandal Revenue Officer's Office, Koyyalagudem, Jangareddigudem, Pentapadu, Koyyalagudem, Assistant Grain Purchasing Officer, Tanuku, Mandal Revenue Officer's Office, Koyyalagudem, from 22.11.1986 to 14.08.1999. Later he was promoted as Deputy Tahsildar, worked at Mandal Revenue Officer's Office Bhimadole and working in Mandal Revenue Officer's Office Nallajerla from 10.09.2001 to till the date of searches i.e. on 02.02.2007 has committed grave misconduct in as much as he is in possession of disproportionate assets worth Rs.11,67,797=00 found during the cheque period possessed from 26.10.1974 to 02.02.2007 in his name and in the names of his family members.

Thus, Sri Lankapally Gandhi Babu S/o Suryarao, Occ: Deputy Mandal Revenue Officer, Nallajerla Mandal, West Godavari District, Revenue Department, has violated the provisions of Andhra Pradesh Civil Services (Conduct) Rules, 1964.

Thus, Sri Lankapally Gandhi Babu S/o Suryarao, Occ: Deputy Mandal Revenue Officer, Nallajerla Mandal, West Godavari District, by his above mentioned acts, has exhibited lack of integrity, devotion to duty, conduct unbecoming of a Government Servant and thereby violated Rule 3(1)(2) of Andhra Pradesh Civil Services (Conduct) Rules, 1964 read with Rule 9 of Andhra Pradesh Revised Pension Rules, 1980."

4. Being not convinced with the explanation of the charged officer thereon, orders were issued appointing the Joint Collector-II, West Godavari District and the Revenue Divisional Officer, Eluru as Enquiry Officer and Presenting Officer respectively to enquire into the charges framed against the Accused Officer and to present the case before the Enquiry Officer on behalf of disciplinary authority in the references 4th and 5th read above.

5. In the reference 6th read above, the Additional Joint Collector, West Godavari District has furnished his enquiry report wherein the enquiry officer held that the Bureau had arrived that an amount of Rs.46,00,451/- as income of the Accused Officer and the amount towards his assets & expenditure is Rs.57,68,248/- with a differential amount of Rs.11,67,797/-, but 20% on the total income arrived by the Bureau (i.e.Rs.46,00,451/-) comes to Rs.9,20,090/- which is admissible as per the instructions of the Government. While finding the contention of the Accused Officer that he had received an amount of Rs.8,57,000/- towards rent on his four-portioned house gifted to him by his father-in-law through a Registered Sale Deed vide Registered Doc.No.909/1972, dated: 21.03.1972 as correct, the Enquiry Officer has held that the total amount comes to Rs.17,77,090/- which ought to have been taken into consideration by the Bureau during their investigation and as such the total income of the Accused Officer comes to Rs.63,77,541/- and the assets & expenditure of the Accused Officer as arrived by the Bureau is Rs.57,68,248/- which is less than the total income of the Charged Officer. The Enquiry Officer has finally stated the Accused Officer is not in possession of assets disproportionate to his income and hence held that the charges and consequently the delinquency was not proved while holding that the Accused Officer failed to submit Annual Property Returns and obtain prior permission for acquiring immovable properties.

6. Government, after careful examination of the entire matter, hereby observe that the Accused Officer does not possess assets disproportionate to

his known sources of income and hence drop further action against Sri L.Gandhi Babu, formerly Deputy Mandal Revenue Officer, O/o the Mandal Revenue Officer, Nallajarla (M), West Godavari District and now retired from service on the charge of acquisition of assets disproportionate to his known sources of income , pending orders on the charges of non-submission of Annual Property Returns and failure to obtain prior permission for acquiring immovable properties.

7. The Special Chief Secretary and Chief Commissioner of Land Administration, A.P., Hyderabad shall take necessary further action in the matter accordingly.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

**ASUTOSH MISHRA
PRINCIPAL SECRETARY TO GOVERNMENT**

To

The Special Chief Secretary &
Chief Commissioner of Land Administration, A.P., Hyderabad.
The District Collector, West Godavari District at Eluru.

Copy to:

- 1. The Individual. [through the District Collector, West Godavari District]**
- 2. The Accountant General, A.P., Hyderabad.**
- 3. The District Treasury Officer, West Godavari District at Eluru.**
- 4. The Director General, Anti Corruption Bureau, A.P., Hyderabad.**
- 5. SF / SC.**

// FORWARDED :: BY ORDER //

SECTION OFFICER